

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

TUAN THANH PHAN,

Petitioner,

v.

DAN PACHOLKE,

Respondent.

Case No. C07-5564BHS-KLS

ORDER DISMISSING PETITION

The Court, having reviewed the petition for *habeas corpus*, the Report and Recommendation of Judge Karen L. Strombom, United States Magistrate Judge, and the remaining record, does hereby find and order:

- (1) the Court adopts the Report and Recommendation;
- (2) petitioner's federal *habeas corpus* petition is DISMISSED; and
- (3) the Clerk is directed to send copies of this Order to petitioner and to Judge Strombom.

DATED this 13<sup>th</sup> day of March, 2008.



BENJAMIN H. SETTLE  
United States District Judge